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OLC 70-0866

14 December 1970

MEMORANDUM FOR: Deputy Director of Central Intelligence
SUBJECT: Developments During Your Absence

1. President's Unhappiness re Reporting on Sihanoukville:

[Redacted]
[Redacted] the President
had cited as "an intelligence failure" the Agency's earlier
reporting on the amount of Communist supplies going
through Sihanoukville.

[Redacted]

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2. Senate Foreign Relations Committee Request that the
Director Testify re Son Tay:

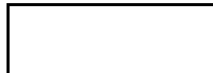
On instructions from the Director, on 10 December
I met with Pat Holt, the number two man on the Senate
Foreign Relations Committee staff, in response to his
request that the Director testify before the Committee
on 14 December regarding the Agency's involvement in
the Son Tay affair. I explained to Holt that our involve-
ment in this case was extremely limited and that our
formal appearance before the Committee in present
circumstances might create some serious problems
for us in view of the political controversy which the
case has stirred up. Later in the day Holt called me
back to say that Chairman Fulbright had agreed to let
us off the hook. See Tab A.

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3. CIA Retirement Legislation Amendments:

On 10 December the Senate passed and sent to the House amendments to our retirement legislation. In the main, this legislation simply brings the Agency retirement system into line with recent changes made in the Civil Service system. It also increases from 400 to 800 the statutory ceiling on the number of our personnel who can be retired under our system between now and 30 June 1974.

This bill is scheduled for consideration by the full House Armed Services Committee at 10:30 a.m. on Wednesday, 16 December, where Red White will present our case. We foresee no difficulty in the bill being reported out of Committee, but there is some danger that it might be lost in the adjournment rush expected later in the week.

4. Clarification of "Fulbright Amendment"

On 10 December Ralph Preston, House Appropriations Committee staff, told me that Chairman Mahon was concerned about the restrictive effect of the Fulbright amendment on certain Agency programs, and suggested it might be well for the Director to call Mahon and let him know firsthand of the Agency's position. When the Director did so, Mahon said he would like our suggestions for amending the original language.

Accordingly, Larry Houston provided some alternatives for consideration, and on 14 December Preston called me to say that during the conference discussions on 12 December it appeared that the House and Senate might agree on adding to the Fulbright amendment the following:

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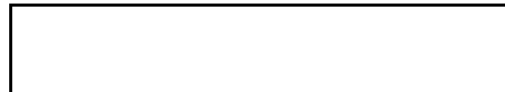
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"...but nothing herein will be construed to prohibit support of free world or local forces in actions designed to promote the safe and orderly withdrawal or disengagement of U.S. forces from the war in Indochina."

After checking with the Director and others concerned, I told Preston that this language would be most helpful from the Agency standpoint.



John M. Maury
Legislative Counsel

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